

### REMARKS

Claims 1-29 were previously pending in this application. By this amendment, claims 2, 4, 5, 8-9, 11, 13-16, 19, 22, and 26-28 have been amended and new claims 30-41 have been added. As a result claims 2, 4, 5, 8-9, 11, 13-16, 19, 22, 26-28 and 30-41 are pending for examination. No new matter has been added.

#### Claim Rejections Under 35 U.S.C. §112

Based upon the amendment to claim 19, via which it now depends from claim 9 rather than claim 16, it is believed that the rejection on this ground has been overcome, and it is respectfully requested that the rejection be withdrawn.

#### Claim Rejections Under 35 U.S.C. §§102 and 103

Although the Applicant does not concede to the accuracy of the Patent Office's characterization of the prior art or other bases for the rejections, to expedite prosecution the Applicant has opted to amend claims to place those "objected to" in independent format, which should obviate all rejections under §§102 and 103. Accordingly, withdrawal of these rejections is respectfully requested.

#### Amendments and Allowable Subject Matter

The Applicant appreciates indication by the Patent Office that claims 9, 10, and 13-29 would be allowable if re-written in independent form including all limitations of the base claim and any intervening claims. This has been done with respect to claims 9, 13, and 22 as discussed below.

Claim 9 has been re-written in independent form including all limitations of the base claim and intervening claims.

Claim 13 has been re-written to include all limitations of the base claim and intervening claims with the following minor changes. "Immobilized to a ..." in connection with some recited connections has been amended to recite "immobilized relative to ...", to more-consistently capture subject matter as recited in other claims and in the specification. In addition, "colloid particle" has been replaced with "nanoparticle". See the specification at page 884332.1

7, line 13 for support for this particular amendment. It is believed that these minor clarifying changes to claim 13 do not alter in any way the position of patentability of claim 13 with respect to the prior art, as indicated by the Patent Office.

Claim 22 has been re-written to include the limitations of the base claim and any intervening claims, some of which limitations are captured in claim 22 as written albeit in slightly different terminology than some of the intervening claims (in which case the terminology of claim 22 has been maintained). In addition, "colloid particles" has been changed to "nanoparticles", supported as noted above and similarly not affecting the patentability of claim 22 as indicated by the Patent Office.

All remaining claims depend from at least one of independent claims 9, 13, and 22, and are believed to be patentable for at least the reasons set forth by the Patent Office.

### **CONCLUSION**

In view of the foregoing amendments and remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicant's attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,  
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